

REMARKS

Claims 1-10 are pending in the application.

Claims 1-10 are rejected.

Claims 3 and 5-9 are amended, claims 1, 2, 4 and 10 are cancelled without disclaimer or prejudice, and new claims 11-15 are added.

Thus, claims 3, 5-9 and 11-15 are pending for reconsideration, which is respectfully requested.

No new matter is being presented, and approval and entry are respectfully requested.

CLAIM REJECTIONS – 35 U.S.C. § 101

Independent claim 9 is rejected under 35 U.S.C. 101, because the claimed invention is directed to non-statutory subject matter. Independent claim 9 is amended, taking into consideration the Examiner's comments, by being directed to: "**A computer program product for use in a computer that is used for that is executed by a computer so as to realize an electronic information delivery system for delivering newspaper information that is published by a publisher to a plurality of users, the computer program product comprising.**" A computer program product, which is used to control a computer, is statutory subject matter.

Accordingly, withdrawal of the rejection of independent claim 9 under 35 USC 101 is respectfully requested.

CLAIM REJECTIONS – 35 U.S.C. §102 AND §103

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Brandt et al. (USPN 6,603,839 B1).

Claim 2 is rejected under 35 U.S.C. §103(a) as being unpatentable over Brandt, further in view of Reddington (USPN 4,554,631).

Claims 3 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandt, further in view of Crandall (USPN 5,970,231).

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandt, further in view of Crandall, further in view of Loeb et al. (USPN 6,014,641).

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brandt, further in view of Crandall, further in view of Hotti.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brandt, further in view of Crandall, further in view of Shibata et al. (USPN 5,835,923).

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brandt, further in view of Crandall, further in view of Shibata, further in view of Van den Heuvel et al. (USPN 5,301,359).

BRANDT, CRANDALL, AND LOEB

Independent claims 3, 7 and 9 are amended to incorporate patentably distinguishing features along the lines of dependent claim 4, and new independent claims 14 and 15 are generally consistent therewith.

In particular, using claim 1 as an example, in contrast to Brandt, Crandall, and Loeb, which are relied upon by the Examiner to reject dependent claim 4, the claimed present invention provides,

...

a selection information storing portion for storing selection information for each user, **the selection information being used for selecting newspaper information of a kind of a newspaper page to be read for each publisher**~~necessary newspaper information from the newspaper information;~~

an editing portion for searching ~~and editing~~ newspaper information necessary for each user using the selection information for each user from the newspaper information stored in the newspaper database **to edit the newspaper information for each user and for each newspaper page of each publisher**;

a user-edited information storing portion for storing the ~~edited-newspaper information~~ edited using the selection information, the user-edited information storing portion being associated with a user relating to the selection information for each user; and

... (emphasis added).

(1) In contrast to Brandt, Crandall, and Loeb, in the claimed present invention, "selection information," as recited in claims 3, 7 and 9, and new claims 14 and 15, is used for **"selecting newspaper information of a kind of a newspaper page to be read for each publisher"**. Support for the claim amendments can be found, for example, in page 13, lines 18-25, FIG. 11 and page 18, lines 1-14, and dependent claim 4, as filed, of the present Application.

Further, in contrast to Brandt, Crandall, and Loeb, the independent claims 3, 7, 9, 14 and 15, include recitations "searching ~~and editing~~ newspaper information necessary for each user using the selection information for each user from the newspaper information stored in the newspaper database **to edit the newspaper information for each user and for each newspaper page of each publisher**", "storing the edited-newspaper information edited using the selection information, the user-edited information storing portion being associated with a user relating to the selection information for each user," and "transmitting the newspaper information ... to each ~~a~~ user relating to the newspaper information via a network." These recitations are supported, for example, by the descriptions at page 8, lines 2-22, page 14, lines 11-17, page 15, line 21-page 16, line 10, page 17, lines 5-11, Fig. 8, Fig. 9 and others, in the present Application.

Newly added dependent claims 11-13 are supported by the description at page 15, lines 12-20.

(2) Therefore, in contrast to Brandt, Crandall, and Loeb, the claimed present provides (a) "storing selection information for each user, **the selection information being used for selecting newspaper information of a kind of a newspaper page to be read for each publisher** necessary newspaper information from the newspaper information," (b) "searching ~~and editing~~ newspaper information necessary for each user using the selection information for each user from the newspaper information stored in the newspaper database **to edit the newspaper information for each user and for each newspaper page of each publisher**," (c) "storing the edited-newspaper information edited using the selection information, the user-edited information storing portion being associated with a user relating to the selection information for each user," and (d) "a transmitting portion for transmitting the newspaper information stored in the user-edited information storing portion to each ~~a~~ user relating to the newspaper information via a network."

These recited patentably distinguishing characteristic structures produce the following particular effects (benefits), as follows. In recent years, tastes, concerns, lifestyles and ideas of readers have been diversified. Accordingly, it becomes difficult for publishers to determine what kind of articles should be published to encourage more readers to read articles. In addition, the diversity also makes it difficult to determine whether unique articles should be published.

In contrast, it also becomes difficult for readers to determine which newspaper should be subscribed. For example, as to a certain newspaper published by a certain publisher, sports

page may be interesting to a reader and financial page may be unacceptable to the reader. As to another newspaper published by another publisher, the reverse may happen. In such cases, a reader subscribes a newspaper published by a publisher that enriches a newspaper page of most important category for the reader, or the reader is forced to subscribe to newspapers published by two or more publishers.

The claimed present invention is directed to at least solve these problems by “storing selection information for each user, **the selection information being used for selecting newspaper information of a kind of a newspaper page to be read for each publisher** necessary newspaper information from the newspaper information.” Therefore, the claimed present invention has a benefit of allowing users, i.e., readers, to **select a publisher** according to the readers’ tastes for each kind of newspaper page, such as a front page, a general news page, a financial page, a political news page, a general page, an international news page, a sports page, a TV/radio program page, an editorial page, a reader’s page, and then **to subscribe newspaper articles edited for each newspaper page of each publisher**. In this way, it is possible to select plural publishers according to a reader’s taste for each newspaper page (section), such as selecting, as financial pages, an A publisher taking up a new product assessment in detail and a B publisher serializing stock price forecast by a reliable journalist, or selecting, as a sports page, a C publisher having a base in an area of a reader’s favorite baseball team X. **Thus, the present invention enables readers to subscribe articles published by each reader’s favorite publisher for each genre.**

As another benefit of the claimed present invention, because users can subscribe for each kind of newspaper page, publishers can dare to publish unique articles for each kind of newspaper page compared to conventional cases. This leads to increased subscription options, which is preferable for readers.

In page 6, item 11, of the Office Action, concerning rejection of original dependent claim 4, the Examiner acknowledges that Brandt and Crandall fail to disclose the claimed present invention’s, **“selection information being used for selecting newspaper information of a kind of a newspaper page to be read for each publisher.”** Therefore, the Examiner relies on Loeb for disclosing this patentably distinguishing feature of the claimed present invention.

Loeb in claim 32 (column 15, lines 15-20), which is relied upon by the Examiner, discloses “the publisher information includes, for each publisher, a publisher subscription data format, and wherein the means for selecting comprises means for creating a subscription record in the respective publisher subscription data format.” However, Loeb is directed to

providing open-ended magazine subscriptions, and Loeb's publisher subscription data formats disclosed in column 6, such as the publisher databases 254, 256 and 258 in FIGS. 3-5, do not disclose or suggest the claimed present invention's, "storing selection information for each user, **the selection information being used for selecting newspaper information of a kind of a newspaper page to be read for each publisher**-necessary newspaper information from the newspaper information; ... searching and editing newspaper information necessary for each user using the selection information for each user from the newspaper information stored in the newspaper database **to edit the newspaper information for each user and for each newspaper page of each publisher,**" Support for the claim amendments can be found, for example, in page 13, lines 18-25, FIG. 11 and page 18, lines 1-14, and dependent claim 4, as filed, of the present Application.

For example, Loeb's database 256 includes magazine ID, magazine name, publisher ID, publisher term information, consumer rate term, agent rate for term and magazine distribution frequency, but does not disclose the claimed present invention's, "**selecting newspaper information of a kind of a newspaper page to be read for each publisher.**" And Loeb discloses in column 6, lines 58-61, that the database 258, publisher subscription data format (which is relied upon by the Examiner), is a file "describing the internal data formats that respective publishers use to process subscriptions and cancellations," but is silent on the claimed present invention's, "**selecting newspaper information of a kind of a newspaper page to be read for each publisher.**"

In particular, Loeb's databases 254, 256 and 258 in FIGS. 3-5, and descriptions thereof, do not suggest any desirability or do not provide any motivation, to modify Brandt or Crandall, or the Loeb databases to accommodate the claimed present invention's, "**selecting newspaper information of a kind of a newspaper page to be read for each publisher,**" because Loeb is silent on magazine subscriptions based upon magazine pages, but Loeb is drawn to solving the problem of term basis magazine subscriptions by providing open-ended magazine subscriptions (Loeb, Abstract, column 2, line 60 to column 3, line 67, and column 11, lines 33-51).

(3) To the contrary, none of the cited references Brandt, Crandall, and Loeb, disclose or suggest the foregoing patentably distinguishing features. Especially, Brandt, Crandall, and Loeb, do not disclose or suggest the claimed idea of "storing selection information for each user, **the selection information being used for selecting newspaper information of a kind of a newspaper page to be read for each publisher**-necessary newspaper information from the newspaper information," which was obtained by studying the foregoing

problems for publishers and readers, thereby allowing users to select a kind of **newspaper page for each publisher** according to the user's tastes, and **editing** newspaper information for **each user and for each newspaper page of a publisher** based on the **selection** to transmit the edited newspaper information to each user.

(4) As set forth in the foregoing items 1, 2 and 3, withdrawal of the rejection of pending claims and allowance of pending claims is respectfully requested, because the amended pending claims recite patentably distinguishing characteristic structures that are not described in the cited references, and can produce effects that cannot be predicted by the cited references.


CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,
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